

E-Filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR 06-70237 PVT
Plaintiff,) ORDER CONTINUING CASE AND
v.) EXCLUDING TIME UNDER THE
TERRY HERNANDEZ,) SPEEDY TRIAL ACT, 18 U.S.C. § 3161
a/k/a TERRY LOPEZ,)
Defendant.)

This matter came before the Court on Thursday, April 27, 2006 for identification of counsel. Counsel for the government and the defendant were present. Based on the hearing, and at the request of the parties, the Court finds pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of justice in granting this continuance outweigh the defendant's and the public's interests in a speedy trial inasmuch as the parties need additional time for investigation and effective preparation, including efforts to achieve a fair resolution of this matter.

IT IS HEREBY ORDERED that this case is continued to Thursday, June 8, 2006 at 9:30 a.m. for arraignment or preliminary hearing.

IT IS FURTHER ORDERED that the period of time from April 27, 2006 through and including June 8, 2006 shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

DATED: 4/3 8/04

Patricia V. Trumbull
PATRICIA V. TRUMBULL
United States Magistrate Judge

1 Copies to be served on:

2 MATTHEW A. LAMBERTI
3 Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, California 95113

4 MARK EIBERT
5 P.O. Box 1126
6 Half Moon Bay, California 94019-1126

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28